



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q80695

Stephen D KLYCE, et al.

Appln. No.: 10/813,620

Group Art Unit: 3737

Confirmation No.: 3825

Examiner: Unknown

Filed: March 31, 2004

For: CORNEAL TOPOGRAPHY ANALYSIS SYSTEM

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(B) - FILING DATE GRANTED**

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted," mailed June 15, 2004 for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by the inventors. Also enclosed please find a Preliminary Amendment, a Petition for Extension of Time, Petition for Acceptance of Color Drawings, Submission of Formal Drawings with seven (7) sheets of drawings and a copy of the executed Assignment and PTO Form 1595.

RESPONSE TO NOTICE TO FILE MISSING PARTS

September 15, 2004

Appln. No.: 10/813,620

Checks for the statutory fee of \$1162.00 (\$770 basic filing fee + \$130 declaration surcharge + \$172 excess independent claims fee + \$90 excess claims fee) and Recordation of Assignment fee of \$40.00 are attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

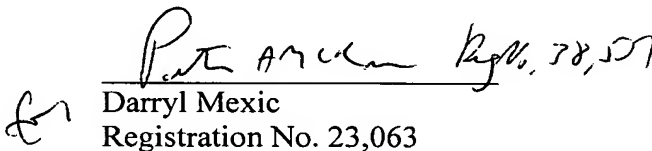
Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Darryl Mexic
Registration No. 23,063

Date: September 15, 2004



SEP 15 2004
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,620	03/31/2004	Stephen D. Klyce	Q80695

CONFIRMATION NO. 3825

23373
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
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WASHINGTON, DC 20037

FORMALITIES LETTER



OC000000012954859

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/16/2004 AAD0F01 00000066 10813620
FILED UNDER 37 CFR 1.53(b)
02 FC:1201 770.00 OP
03 FC:1202 172.00 OP
Filing Date Granted 051 90.00 OP
130.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 2.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) ALL.

09/16/2004 AAD0F01 00000066-10813620
01-FC-1201-
770.00-OP
172.00-OP

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$262** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1162** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$262**
 - **\$172** for **2** independent claims over 3.
 - **\$90** for **5** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE